

REMARKS

Applicant submits this Response in response to the Office Action mailed March 29, 2005. Applicant has amended claim 31, and is submitting a replacement drawing sheet for Figure 5b. Claims 20-41 remain pending. No new matter has been added.

In paragraph 1 of the Office Action, the Examiner has objected to the drawings because Figure 5b is missing from the Examiner's copy of the application. Applicant has reviewed its copy of the application as filed, and finds that Figure 5b was presented twice in the documents submitted to the USPTO with the filing of the present application – once in its original, informal style and again as a formal drawing based on the original and prepared during the pendency of the parent application from which the current application claims benefit. In order to expedite the examination of the present application, Applicant has attached to this Response a replacement drawing sheet containing Figure 5b, marked in the top margin as required by 37 C.F.R. 1.121(d), but otherwise identical to the Figure 5b of the parent application. Applicant therefore requests that the Examiner withdraw the objection.

In paragraphs 2-3 of the Office Action, the Examiner has rejected claims 31 and 32 under 35 U.S.C. § 112, ¶ 2, as being indefinite. Specifically, the Examiner notes that the “the two gateways” limitation recited in claim 31 (and claim 32 due to its dependence from claim 31) lacks antecedent basis. Applicant has amended claim 31 to correct this error, and respectfully requests that the Examiner withdraw the rejections.

In paragraphs 4-5 of the Office Action, the Examiner has rejected claims 20-22, 24-28, 30, 31, 33 and 35-41 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,292,478 to Farris (“the Farris patent”). Applicant notes that both the present application and the Farris patent are owned by a common assignee, an affiliate of Verizon Communications, Inc. Submitted with this Response are the declarations under 37 C.F.R. § 1.131 of Keith E. George and Gene Z. Robinson (with supporting Exhibits), each of which was filed in the parent application. These declarations and supporting exhibits establish a date of invention for the subject matter of the pending claims that is prior to October 7, 1996, which is prior to the earliest

effective filing date of the Farris patent for purposes of § 102(e). As a result, the Farris reference should not constitute prior art to the present application, and Applicant respectfully requests that the Examiner withdraw the rejections of claims 20-22, 24-28, 30, 31, 33 and 35-41.¹

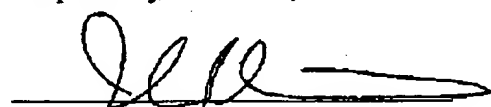
Applicant acknowledges and appreciates the Examiner's indication in paragraph 6 of the Office Action that claims 23, 29, 32 and 34 would be allowable if rewritten in independent form.

CONCLUSION

In view of the foregoing, Applicant respectfully submits that the pending claims are in condition for allowance. Reconsideration and allowance are respectfully requested. If there are any outstanding issues which need to be resolved to place the application in condition for allowance, the Examiner is invited to contact Applicant's undersigned representative by phone at the number indicated below to discuss such issues. To the extent necessary, a petition for extension of time under 37 C.F.R. § 1.136 is hereby made, the fee for which should be charged to deposit account number 07-2347. With respect to this application, please charge any other necessary fees and credit any overpayment to that account.

Respectfully submitted,

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¹ As Applicant's remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicant's silence as to certain assertions made by the Examiner (e.g., as to dependent claims) or requirements applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine references) is not a concession by Applicant that such assertions are accurate or such requirements have been met, and Applicant reserves the right to analyze and dispute such in the future.

ATTACHMENT

Replacement Drawing Sheet for Figure 5B follows.